

AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 636**

**Introduced by Assembly Member Frommer**

February 19, 2003

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An act to add Part 4 (commencing with Section 1000) to Division 1 of the Health and Safety Code, relating to autism.

LEGISLATIVE COUNSEL'S DIGEST

AB 636, as amended, Frommer. Developmental disabilities: autism.

~~Existing law, the~~

*The Lanterman Developmental Disabilities Services Act*, requires the State Department of Developmental Services to contract with regional centers for the provision of various services and supports to persons with developmental disabilities, including autism.

Existing law requires regional centers to perform initial intake and assessment services for any person believed to have a developmental disability.

Existing law requires the ~~State Department of Developmental Services~~ *department* to develop evaluation and diagnostic procedures for the diagnosis of autism disorder and all other autistic spectrum disorders that may be utilized by clinical staff at regional centers, and to develop a corresponding training program for the staff to be implemented on or before July 1, 2002.

This bill would ~~require the Director of Health Services to establish, within the State Department of Health Services~~ *department*, an Autism Assistance Clearinghouse Office, and to appoint an Advocate for

~~Families of Children with Autism Spectrum Disorders to head the office Information Resource Center, to be headed by an Autism Information Resources Director who would be appointed by the Governor.~~

This bill would provide that the duties of the office shall be determined by the director but that those duties would include developing educational and informational guides for families with autistic children and ~~serving as a clearinghouse of information related to autism~~ identifying existing services for families, including, but not limited to, private health insurance plans, departmental services, and services within the State Department of Education and local school districts.

This bill would also make the department the designated entity within the state responsible for planning and coordinating functions for families and persons with autism, and would require the department, in cooperation with all other state departments involved in serving persons with autism, to develop a long-term plan to properly serve this population. It would require the plan to be submitted to the Legislature by January 1, 2009.

This bill would also provide that the department shall use existing resources, and seek federal and private funding, to implement the provisions of the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Children are being diagnosed with autism spectrum
- 4 disorders at an alarming and rapidly increasing rate, with these
- 5 disorders affecting as many as one in 250 children.
- 6 (b) The State Department of Developmental Services
- 7 documented a 273 percent increase in the number of autism cases
- 8 in California alone. This number was later substantiated by a
- 9 followup study conducted by the M.I.N.D. Institute at the U.C.
- 10 Davis Medical Center.
- 11 (c) Numerous studies have established the importance and
- 12 effectiveness of early intervention treatment for infants diagnosed
- 13 with an autistic disorder.



(d) As the number of children with autism spectrum disorders continues to increase, there is also increased need for assistance in helping families find out what services and support are available for these families.

(e) By necessity, families of children with autism spectrum disorders seek treatment, services, and assistance from a wide array of public and private health care, educational, and social services resources.

(f) Families would be better able to access early intervention and appropriate treatment or services for autism spectrum disorders if information and assistance regarding existing support services, treatment services, education services, and parent's rights and options were available from a single agency.

SEC. 2. Part 4 (commencing with Section 1000) is added to Division 1 of the Health and Safety Code, to read:

~~PART 4. — ADVOCATE FOR FAMILIES OF CHILDREN~~

*PART 4. INFORMATION RESOURCE CENTER FOR  
FAMILIES WITH CHILDREN WITH AUTISM SPECTRUM  
DISORDERS*

*1000. An Autism Information Resource Center shall be created within the State Department of Developmental Services.*

*1001. The office shall be headed by the Autism Information Resources Director, who shall be appointed by the Governor.*

*1002. The office shall assist families to identify appropriate services for autistic children from available resources, including, but not limited to, private health insurance plans, departmental services, regional centers, and services within the State Department of Education and local school districts.*

*1003. The office shall develop educational and informational guides for families with autistic children that identify resources and the responsibilities of various agencies that serve persons with autism spectrum disorders. The guides shall be easy to read and understand, and shall be available in English and other languages. The guides shall be made available to the public by the Autism Information Resources Director, and shall be available on the department's Internet Web site.*

1 1004. The department shall provide for the assignment of  
2 personnel to the office. The department may employ or contract  
3 with experts when necessary to carry out the functions of the office.

4 1005. (a) The department shall be the designated entity  
5 within the State of California responsible for planning and  
6 coordinating functions for families and persons with autism. Given  
7 the rapidly increasing number of persons who are impacted by  
8 autism, it is the intent of the Legislature that California provide  
9 long-term planning to ensure that adequate resources exist to serve  
10 this population.

11 (b) The department shall, in cooperation with all state  
12 departments involved in serving persons with autism, develop a  
13 long-term plan to properly serve this population. The department  
14 shall also make recommendations regarding the need and efficacy  
15 of state interagency coordination. The plan shall be submitted to  
16 the Legislature by January 1, 2009.

17 (c) The department shall provide referrals to other state  
18 departments as well as resources to families and persons with  
19 autism.

20 (d) To ensure all relevant information is available in the  
21 development of the long-term plan, all state departments shall  
22 comply with requests from the department for information on a  
23 timely basis.

24 (e) The department shall notify the Legislature if the state  
25 departments fail to comply with requests for information on a  
26 timely basis.

27 ~~WITH AUTISM SPECTRUM DISORDERS~~

28  
29 ~~1000. The director shall establish an Autism Assistance~~  
30 ~~Clearinghouse Office within the department.~~

31 ~~1001. The office shall be headed by an Advocate for Families~~  
32 ~~of Children with Autism Spectrum Disorders, to be appointed by~~  
33 ~~the director. The advocate shall represent the interests of parents~~  
34 ~~of children with autism spectrum disorders.~~

35 ~~1002. The office shall not be a direct provider of services, but~~  
36 ~~shall assist families to secure appropriate services for their~~  
37 ~~children from available resources, including, but not limited to,~~  
38 ~~private health insurance plans, the State Department of~~  
39 ~~Developmental Services, regional centers, the State Department~~  
40 ~~of Education, and local school districts.~~

1     ~~1003. The duties of the office shall, consistent with this part,~~  
2 ~~be determined by the director, and shall include, but not be limited~~  
3 ~~to, all of the following:~~

4     ~~(a) Developing educational and informational guides for~~  
5 ~~families with autistic children that describe family rights and~~  
6 ~~responsibilities and that inform families on effective ways to~~  
7 ~~exercise their rights to secure services. The guides shall be easy to~~  
8 ~~read and understand, and shall be available in English and other~~  
9 ~~languages. The guides shall be made available to the public by the~~  
10 ~~department, including by making this information accessible on~~  
11 ~~the department's Internet Web site and through public outreach~~  
12 ~~and educational programs.~~

13     ~~(b) Rendering advice and assistance to parents of autistic~~  
14 ~~children regarding procedures and rights as they pertain to services~~  
15 ~~for children with autism spectrum disorders.~~

16     ~~(c) Serving as a clearinghouse of information related to autism~~  
17 ~~spectrum disorders, including coordinating and working with~~  
18 ~~other government and nongovernment autism and disability~~  
19 ~~assistance programs and ombudsman programs.~~

20     ~~1004. The director shall provide for the assignment of~~  
21 ~~personnel to the office. The department may employ or contract~~  
22 ~~with experts when necessary to carry out the functions of the~~  
23 ~~office.~~

24     ~~1005.—~~

25     ~~1006. (a) This part shall be implemented only through~~  
26 ~~existing resources, along with resources available pursuant to~~  
27 ~~subdivision (b).~~

28     ~~(b) The department shall seek additional federal and private~~  
29 ~~funding sources for purposes of funding the office.~~